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December 3, 2021

BY ECF

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

**RE: SingularDTV GmbH v. Zachary LeBeau and Kimberly Jackson –
Docket No. 1:21-CV-10130-VEC**

Dear Judge Caproni:

On behalf of Plaintiff SingularDTV GmbH and Defendants Zachary LeBeau and Kimberly Jackson, undersigned counsel write this Joint Letter in response to this Court's Order Modifying the Temporary Restraining Order dated December 2, 2021 (the "TRO") (Dkt. No. 25), and specifically the Court's instruction that the Parties "submit a joint letter on ECF ... confirming that the required email access has been restored."

The Parties have met and conferred and hereby acknowledge that Defendants have provided to Mr. Allenspach access to email accounts used by the following persons: Patrik Allenspach, Iwona Popieluch/Iwona Schwartz, Martin Trepp, Amrita Rizal, Victoria Maksheeva, Alicja Popieluch/Alicja Gniady, Simon Walti, and Elanie Marais. These e-mail accounts provided to Mr. Allenspach contain emails for only the past 12 months (except for Mr. Allenspach's, which appears to contain emails going back further than 12 months). The parties are continuing to meet and confer regarding whether emails prior to that period exist for the other referenced email accounts. Plaintiff reserves all rights in this respect.

Defendants have not provided Mr. Allenspach access to e-mail accounts used by Arie Levy Cohen, as Defendants represent that no such accounts exist and that he used other accounts for company business. Plaintiff reserves all rights in this respect, including as to Mr. Cohen's e-mail account arie@singulardtv.com.

The parties are continuing to meet and confer regarding whether Mr. Allenspach has been provided "full and unrestricted administrative access to and control over" all of the e-mail accounts

used by the individuals identified in the TRO, as required by the TRO. Plaintiff reserves all rights in this respect.

Defendants represent that neither Defendants nor others acting on their behalf will access the e-mail accounts used by the individuals identified in the TRO. Plaintiff reserves all rights in this respect.

Respectfully Submitted,

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